

ALABAMA BOARD OF NURSING

REGULAR BOARD MEETING

Fiscal Year 2013-2014

Suite 350, RSA Plaza

770 Washington Ave

Montgomery, Alabama

January 16-17, 2014

I. CALL TO ORDER

A. Roll Call

The meeting was called to order at 9:07 a.m. on January 16, 2014. The following Board members were present: Catherine Dearman, RN, PhD, President; Francine Parker, EdD, MSN, RN, Vice-President; E. Laura Wright, PhD, MNA, CRNA, Secretary; Pamela Autrey, PhD., MSN, RN; Cheryl Bailey, RN, BSN, MBA; Melissa Bullard, LPN; Miriam Ellerbe, LPN; Gladys Davis Hill, MSN, RN; Gregory Howard, LPN; Vicki P. Karolewics, Ed.D.; Chrystabell King, LPN; Amy Price, MSN, RN; and Carol Stewart, CRNP, MSN. Genell Lee, MSN, RN, JD, Executive Officer and Leslie Vinson, Executive Secretary/Recorder were present. Staff members attending portions of the meeting were: Teresa Young, Docket Clerk; Pam Jenkins, Legal Assistant; Honor Ingels, Chief Legislative and Information Officer; Charlene Cotton, MSN, RN, Advanced Practice; Joyce Jeter, MSN, RN, Practice/Continuing Education; Cathy Russell, MSN, RN, PhD, Nursing Education Consultant; Mary Ed Davis, MSN, RN, Voluntary Disciplinary Alternative Program; Dawn Daniel, MSN, RN, Probation Nurse Consultant; Peggy Benson, MSN, RN, Deputy Director; Cathy Boden, MSN, RN, Legal Nurse Consultant; LaDonna Patton, MSN, RN, Legal Nurse Consultant; Nate Nunnelley, Special Investigator; Howard Kenney, Special Investigator; Dave Pinnock, Special Investigator; Patrick Samuelson, Assistant General Counsel; and Alice Maples Henley, Deputy Attorney General/General Counsel.

B. Oath of Office

On January 16, Dr. Dearman led members in the Oath of Office. A written "Oath of Office" was provided to each Board member for signature.

C. Statement of Compliance with Open Meetings Act

Prior notice of this meeting was posted on the Secretary of State's web site in accordance with the Alabama Open Meetings Act.

D. Declaration of Quorum

A quorum was declared with thirteen Board members present on January 16, and thirteen members present on January 17.

E. Review of Agenda

1. Additions, Modifications, Reordering

2. Adoption of Consent Agenda

The following items were accepted on the Consent Agenda:

- II.A. November 14-15, 2013 Annual Board Meeting Minutes
- II.B. December 12, 2013 Board Meeting Minutes
- III.A. FY 2014 Board Action Follow-up
- VI.A.1. Executive Officer Report
- VI.A.2. FYI
- VI.D.1. General Counsel/Deputy Attorney General Report
- VI.D.2. Assistant General Counsel Report
- VI.D.3. Voluntary Disciplinary Alternative Program Report
- VI.D.4. Investigations Report
- VI.D.5. Legal Nurse Consultant Report
- VI.D.6. Probation Monitoring Report
- IX.A.1. Practice Report
- IX.B.1. Continuing Education Report
- X.A. Education Report

On January 16, Ms. Price moved that the Board adopt the Consent Agenda. Dr. Wright seconded. Motion carried.

3. Adoption of Agenda

On January 16, Ms. Price moved that the Board adopt the Agenda, as amended. Ms. Ellerbe seconded. Motion carried.

II. REVIEW OF MINUTES

A. November 14-15, 2013 Annual Board Meeting Minutes

The November 14-15, 2013, Annual Board Meeting Minutes were accepted on the Consent Agenda.

B. December 12, 2013 Board Meeting Minutes

The December 12, 2013, Board Meeting Minutes were accepted on the Consent Agenda.

III. OLD BUSINESS/FOLLOW-UP

A. FY 2014 Board Action Follow-up

Ms. Lee's report of Board action follow up was accepted, as information, on the Consent Agenda.

IV. NATIONAL COUNCIL OF STATE BOARDS OF NURSING, INC.

V. NATIONAL COUNCIL LICENSURE EXAMINATIONS

A. FY 2014 1st Quarter NCLEX-PN® Results

The FY 2014 1st Quarter NCLEX-PN reports were not available.

B. FY 2014 1st Quarter NCLEX-RN® Results

The FY 2014 1st Quarter NCLEX-RN reports were not available.

VI. REPORTS

A. Executive Officer

1. Report

A written report in the activities of the Executive Officer was accepted, as information, on the Consent Agenda.

Ms. Lee provided copies of the 2013 LPN demographics for the Board's information and review. Ms. Lee reported that

the Board may want to review the questions and discuss the barriers to LPN practice at a future Board meeting.

Pursuant to Alabama Board of Nursing Administrative Code, Rule 610-X-8-.05, Ms. Lee accepted the voluntary surrender for revocation for each of the following Alabama nursing licenses:

<u>Licensee's Name</u>	<u>License Number</u>	<u>Date of Acceptance</u>
Smith, Evelyn Ann	2-052671	10/28/2013
Spann, Diane Lin	2-059018	10/31/2013
Cox, Wanda S.	2-009382	11/05/2013
Jones, Frances Elizabeth	1-095464	11/05/2013
Barnes, Ashley Lauren	2-053673	11/06/2013
Motley, Brandy Lynn	1-106177	11/07/2013
Kinder, Tracey Clark	1-100987	11/12/2013
Edney, Heather Anne	2-060695	11/13/2013
Guillory, Magdalen Kate	1-133680	11/13/2013
Lee, Cameron Tyler	1-127000	11/14/2013
Wells-Wright, Maegan Marie	2-055125	11/15/2013
Glass, Sherry Marie	2-061154	11/20/2013
Lee, Thomas Monroe	1-122722	11/25/2013
Griffeth, Rose Marie	1-109513; 2-035430	11/25/2013
Puckett, Christie Anne	1-106427	11/25/2013
Dill, Jamie Lanell	1-113316	12/02/2013
Brown, Thomasine Acoff	2-028003	12/06/2013
Carnes, C. Lynn	1-025010	12/13/2013
Armendarez, Aleshia Darlene	1-100501	12/13/2013
Buchenroth, Georgia Cutts	1-073094	12/18/2013
Worley, Susan Janice	1-060597	12/19/2013
Vance, Samantha Leigh	1-127257	12/23/2013
Herrington, Metrice Shalana	2-057267	12/26/2013
Palmer, Stephanie Cheri	1-095806	12/26/2013

2. FYI

There were no FYI items provided.

3. Communication Plans

Ms. Lee reported that the last printed, published, and mailed newsletter from the ABN occurred in 2000. The costs of printing, mailing, and paying for returned newsletters became cost-prohibitive. A newsletter, mailed in the Fall of 1999, resulted in approximately \$17,000.00 paid for returned newsletters because of inaccurate addresses. Added to the cost of paying for returns was the cost of staff time developing the newsletter, printing costs, and postage for mailing to each licensed nurse. An analysis presented to the Board led to a decision to stop mailing newsletters.

A focus on electronic information occurred and the Board's website was recreated and launched. The belief, at the time, was that the website would be the primary means of communicating issues to licensed nurses, employers, and the public. The website was updated again in the last three years and there is a plan to update it in 2014. The amount of information on the website has grown exponentially and individuals find it harder to locate information.

Recently we added a link on the first page of the website for consumers and employers to file complaints online. The consumer section has been used extensively and we are averaging at least one complaint per day. A recent press release went out identifying the availability of the links based on the Board's discussion at the December meeting and Dr. Akers' comments about notifying the public about the service.

Along with the website being updated, Ms. Benson started two CQI teams to look at communication with licensees, the public, employers of nurses, and schools of nursing. The recent strategic plan has communication throughout and the focus of the two teams was two different methods of communication. A survey was sent out to the individuals on the list serv and there were a considerable number of responses that supported the Board having an electronic newsletter again. The newsletter CQI team analyzed the survey results and made a recommendation that we begin

an electronic newsletter with the first issue coming out in February 2014, issued quarterly, and the announcement sent via list serv. Honor Ingels will be responsible for development of the newsletter and staff will submit articles. Final approval rests with the EO. Board members might be called upon to write short articles for the newsletter.

The second communication issue was social media. The Board's discussion of social media use occurred over the last two years. The second team recommends that the Board have a presence on Facebook and Twitter initially. If the venture into those two social media outlets is successful, perhaps other media would be used in the future. The Board has a Facebook page and a Twitter account already. The Facebook page is tied to the Twitter account so when we make changes to the Facebook page, it will send those updates to those following the Board on Twitter. Honor Ingels will be responsible for monitoring of comments and content on Facebook and Twitter with final approval of content by the EO.

The team believed that initially we should allow comments on Facebook and Twitter and see how it goes. If the comments become too negative, then we may have to be less open and more static in our approach. Not all Boards of Nursing are on Facebook or Twitter. Once again, the Alabama Board of Nursing will be among the few to have a presence in social media. Reports of the venture into these areas will be provided at regular Board meetings.

Ms. Lee provided copies of the newsletter survey responses for the Board's information and review.

The Board reviewed and discussed the communication plan.

On January 16, Dr. Wright moved that the Board approve the implementation of a quarterly newsletter, ABN E-News, beginning in 2014. Mr. Howard seconded. Motion carried without objection.

On January 16, Dr. Parker moved that the Board approve the implementation of social media beginning with Facebook and Twitter beginning in 2014. Ms. Price seconded. Motion carried without objection.

4. Legislation

Ms. Lee reported that the issue of diabetes management in the public schools is ongoing. A proposed bill was introduced in the Senate and a corresponding bill was introduced in the House. The Senate bill is scheduled for a public hearing on January 22, 2014 at noon.

Ms. Lee reported that she sent the proposed bill to everyone on the listserv. This is a national movement by the Diabetes Association and it has been introduced in about twenty-five other states.

Ms. Lee reported that she has been in contact with Children's Hospital of Alabama and they said that sixth grade and up should be able to self-manage.

Ms. Lee provided copies of the proposed bill for the Board's information and review.

The Board reviewed the proposed bill and advised the EO that they were opposed to the bill as written. Especially the section which states: this is not the practice of nursing. The Board is focused on prevention and the Board's proposed rules will take care of the glucagon issue.

Ms. Lee encouraged the Board members to contact their representative regarding the proposed bill. The Board asked Ms. Lee to draft some talking points.

B. Deputy Director Report

1. Quality Report

Ms. Benson reported that in October 2013, the Board implemented a Quality Management Plan which includes quality assurance and continuous quality improvement.

Ms. Benson provided copies of the Continuous Quality Improvement Activities Report for the Board's information and review.

The Board reviewed the report.

C. Finance

1. Reports

Ms. Lee reported that Ms. Broomfield left the ABN for a promotion. Interviews for the Chief Fiscal Officer position will begin next week.

Ms. Lee reviewed the Revenues Expenditures Summary, Revenues, and Expenditure Budget Comparison, for FY 2014.

D. Legal Division

1. General Counsel/Deputy Attorney General

A written report of the activities of the Legal Division from October 24, 2013 through December 26, 2013, the number of open disciplinary cases, and the number of cases on appeal or subject to litigation was accepted, as information, on the Consent Agenda.

2. Assistant General Counsel Report

A written report on the number of pending cases on the docket of the Assistant General Counsel as of December 20, 2013 was accepted, as information, on the Consent Agenda.

3. Voluntary Disciplinary Alternative Program

A written report on VDAP participants and terminations as of December 26, 2013 was accepted, as information, on the Consent Agenda.

4. Investigations Report

A written report of active investigations per investigator as of December 20, 2013 was accepted, as information, on the Consent Agenda.

5. Legal Nurse Consultant Report

A written report on the number of open cases assigned to each legal nurse consultant as of December 26, 2013 was accepted, as information, on the Consent Agenda.

6. Probation Monitoring

A written report on the number of nurses monitored on probation as of December 20, 2013, the number of outstanding probation violations and the number of past due fines was accepted, as information, on the Consent Agenda.

E. Executive Committee

1. President's Report

There was no President's report.

2. Board Self-Assessment

Dr. Dearman reported that the Board Assessment Tool was distributed at the December 2013 Board meeting. Board members were asked to complete the tool and return it to Dr. Lavender within two weeks for analysis. Ten surveys were returned for an overall response rate of 77%. Items were scored using a Likert scale. Dr. Lavender prepared the 2013 Board Assessment results.

The Board reviewed and discussed the results.

Dr. Autrey reported that the lower scores were culture oriented and the Board needs to change the culture. Dr. Autrey suggested that the Board debrief at the end of each Board meeting.

The Board discussed doing a self-assessment mid-year due to the number of new Board members and identify any trends.

After discussion, the Board decided to do another self-assessment in June.

On January 16, Ms. Price moved that the Board complete another self-assessment in June in addition to the self-assessment completed in November in order to identify any trends. Dr. Parker seconded. Motion carried without objection.

VII. POLICY

A. Final Certification, ABN Administrative Code, Rule 610-X-7-.02, Delegation by School Nurses

Ms. Lee reported that the Board approved changes to the delegation regulation for school nurses after hearing about the pilot study during the summer. During the pilot study, eleven school systems participated in various aspects of delegation of the administration of glucagon in diabetic children who became unconscious or had seizure activity. While the numbers were small, the Board elected to implement widespread changes to the rules in order to take the system statewide.

The proposed changes were filed with the Legislative Reference Service and published in the November 27, 2013 *Alabama Administrative Monthly*. The proposed rules were also sent to the school nurses via list serv. A few comments were received and most were clarifying the meaning of the proposed rules. The deadline for comments was January 6, 2014. The diabetes nurse at Children's of Alabama reviewed the proposed rule and shared them with the endocrinologists who treat many diabetic children from Montgomery north. There were comments about grammar but nothing substantive except for one comment. The requirement that the school nurse check a diabetic child's blood sugar thirty minutes prior to getting on the bus according to the Children's comments should only be for those under sixth grade. If over sixth grade, the child should check his/her own blood sugar prior to getting on the bus to eliminate the need to miss class.

We received two to three calls asking about a public hearing and we advised the callers that a public hearing was not scheduled but if they wanted to request one they could do so by sending the EO an email. No one requested a public hearing.

If there are no substantive changes, the Board approves the rules for final certification and they become effective 35 days from the date of filing. The changes would likely become effective by the end of February 2014. The educational program is already developed and it could be standardized statewide.

With a focus on prevention of the need for glucagon, the widespread education of school personnel is likely to improve the care overall of children with diabetes.

The Board reviewed the proposed rule and made minor changes.

On January 16, Dr. Wright moved that the Board approve, as final certification, amendments to Rule 610-X-7-.02, Delegation by School Nurses. Mr. Howard seconded. Motion carried with one abstention (Dr. Karolewics).

Ms. Price was not present for the discussion or vote.

VIII. ADVANCED PRACTICE

A. Roster of Collaborative Practice Applicants

Ms. Cotton reported that the roster includes forty-eight applications for collaborative practice that meet the criteria as of December 23, 2013 for Fast Track approval without Joint Committee review. The Board of Medical Examiners (BME) met on January 14, 2014 and accepted the Committee's recommendations.

Ms. Cotton reported that item 27, Valerie Little, 1-094911 and Dr. Ritu Chandra, 26862, was be deleted from the roster. It does not qualify for fast track approval.

Ms. Cotton provided copies of the roster of applications for the Board's information and review.

The Board reviewed and discussed the roster of applications.

On January 16, Dr. Wright moved that the Board approve the applicants for collaborative practice as listed in the published roster, excluding item 27. Mr. Howard seconded. Motion carried without objection.

IX. PRACTICE AND CONTINUING EDUCATION

A. Practice

1. Report

A written report on the standardized procedures, as of December 26, 2013, was accepted, as information, on the Consent Agenda.

B. Continuing Education

1. Report

A written report on Continuing Education Provider applications and continuing education plan update as of December 26, 2013, was accepted, as information, on the Consent Agenda.

X. EDUCATION

A. Report

A written report on nursing education programs was accepted, as information, on the Consent Agenda.

B. Virginia College Birmingham ADN Teach Out Plan

Dr. Russell reported that following the FY 2012 NCLEX-RN® results, Virginia College-Birmingham had a 60.6% first-time writer pass rate on the NCLEX® and a 27.3% pass rate for FY 2011. The Notice of Deficiency required correction by the end of FY 2013. The NCLEX® results for FY 2013 were 62.5%. A site visit was conducted on November 6, 2013. Mr. Chris Moore, Campus President; Mr. Richard Friedman, Dean; Dr. Adriane Wheat, Associate Dean of Academics; and Dr. Barbara Moore, Interim Associate Dean of Nursing were present. Dr. Moore assumed the role of program director in October 2013. Site visitors also met with students and faculty. Six students attended the student session and three faculty members attended the faculty session.

Since its inception, Virginia College has experienced instability in its nursing leadership. The initial program director was Lynn Maiden, MSN, RN (from start of program in 2008 to December 2008); Stephanie Mitchell, MSN, RN (2008 to June 2010); Rhonda Bush, MSN, CRNP (June 2010 to ?); Michelle Stubbs (3/2010-8/2013); and currently Dr. Barbara Moore (10/2013 to present). There has been considerable turnover in nursing faculty. Students are not represented on committees and do not have a formal process for influencing policies.

Dr. Russell reported that the program has never achieved the anticipated outcome standard for first time composite writers on the NCLEX® exam.

Chris Moore, Campus President; Dr. Russell McGuire, Academic Dean, and Dr. Barbara Moore, Associate Dean for Nursing Education, was present and answered questions from the Board.

The last day is projected to be in March 2016.

Dr. Russell provided copies of the teach out plan for the Board's information and review.

The Board reviewed and discussed the teach out plan.

On January 16, Mr. Howard moved that the Board approve the teach out plan. Ms. Stewart seconded. Motion carried without objection.

Ms. Lee reported that if the last cohort goes beyond March 2016, the Board will be updated and Dr. Russell would continue to monitor the program.

XI. BOARD TRAVEL

A. NCSBN Midyear Meeting, Kansas City, Missouri – March 11-12, 2014

Mr. Howard, Ms. Price, Ms. Bullard, Dr. Parker, Dr. Autrey, and Dr. Dearman were approved to attend.

XII. DISCIPLINARY CASES

On January 17, Dr. Wright moved that the Board enter into Executive Session to discuss the general reputation and character, professional competence, and physical or mental conditions of specific applicants and licensees. Ms. Price seconded. Motion carried without objection.

Dr. Dearman reported that the Board would reconvene in open session at approximately 9:00 a.m.

The Board reconvened in open session at 9:05 a.m. and voted on the Consent Orders.

A. Consent Orders

1. Lee, Cindy Thomley – RN, 1-089295; CRNP

Ms. Lee signed a Consent Order that would place her RN license on probation for a period of twelve months, with illegal/illicit drug-use stipulations, require her to successfully complete a Board-approved educational course on chemical dependency, and pay a fine in the amount of \$300.00.

On January 17, Mr. Howard moved that the Board accept the Consent Order. Ms. Stewart seconded. Motion carried without objection.

2. Diaz, Richard Paul – RN, 1-053092

Mr. Diaz signed a Consent Order that would suspend his RN license until such time as he provides evidence of: (a) payment of a fine in the amount of \$500.00; (b) successful completion of a Board-approved educational course on professional accountability; accrual of 3.5 contact hours of continuing education; (c) accrual of requisite continuing education contact hours for reinstatement of licensure; and (d) payment of appropriate fees. In no event will this period of suspension extend beyond twelve months of the effective date of this Order, and, if such should occur, his license status will be considered as and listed as revoked.

On January 17, Dr. Parker moved that the Board accept the Consent Order. Ms. Stewart seconded. Motion carried without objection.

3. Persons, Barbara Ann – RN, 1-052633; LPN, 2-024530 (Lapsed)

Ms. Persons signed a Consent Order that would place her license on probation until such time as she provides evidence of: (a) successful completion of Board-approved educational courses on professional boundaries, ethics of nursing practice, ABN Mandatory Course on Standards of Practice and Scope of Practice; (b) payment of a fine in the amount of \$300.00; and (c) the notice of receipt of Board order is received by the Board.

On January 17, Dr. Parker moved that the Board accept

the Consent Order. Ms. Ellerbe seconded. Motion carried without objection.

4. Christie, Theresa Christine – RN, 1-083130

Ms. Christie signed a Consent Order that would terminate her November 20, 2009 Order upon the Board's acceptance of this instant Order that would place her RN license on probation for a period of twenty-four months, with illegal/illicit drug-use stipulations, require her to successfully complete a Board-approved educational course on substance use disorder, and pay a fine in the amount of \$1,000.00.

On January 17, Dr. Autrey moved that the Board accept the Consent Order. Mr. Howard seconded. Motion carried without objection.

5. Owen, Leannah Roxanne – LPN, 2-047530

Ms. Owen signed a Consent Order that would terminate her March 19, 2010 Order upon the Board's acceptance of this instant Order that would suspend her LPN license for a minimum of three months and until such time as the Board is in receipt of satisfactory documentation of: (a) completion of a comprehensive chemical dependency evaluation from a Board-approved provider and compliance with all treatment recommendations; (b) entry into and full participation in an aftercare program; (c) negative random monthly urine drug screens; (d) active participation in Twelve Step Meetings; (e) accrual of requisite continuing education contact hours; and (f) payment of appropriate fees. Upon reinstatement, Ms. Owen's license will be placed on probation for a period of sixty months, with chemical dependency stipulations, and she will be required to pay a fine in the amount of \$1,000.00. In no event will this period of suspension extend beyond twelve months of the effective date of this Order, and, if such should occur, her license status will be considered as and listed as revoked.

On January 17, Dr. Autrey moved that the Board accept the Consent Order. Mr. Howard seconded. Motion carried without objection.

6. Ramer, Debra Sue – RN, 1-129010

Ms. Ramer signed a Consent Order that would terminate her

September 20, 2013 Order upon the Board's acceptance of this instant Order that would suspend her RN license until such time as she provides evidence of: (a) payment of a fine in the amount of \$800.00; (b) successful completion of Board-approved educational courses on substance use disorder and professional accountability; and (c) the employer notification has been received by the Board. Upon reinstatement Ms. Ramer's license will be placed on probation for a period of twelve months, with illegal/illicit drug-use stipulations. In no event will this period of suspension extend beyond twelve months of the effective date of this Order, and, if such should occur, her license status will be considered as and listed as revoked.

On January 17, Dr. Autrey moved that the Board accept the Consent Order. Mr. Howard seconded. Motion carried without objection.

7. Zakariyan, Rada – RN, 1-091705

Ms. Zakariyan signed a Consent Order that would terminate her May 21, 2010 Order upon the Board's acceptance of this instant Order that would place her RN license on probation for a period of sixty months, with chemical dependency stipulations, require her to successfully complete a Board-approved educational course on substance use disorder in nursing, and pay a fine in the amount of \$1,000.00.

On January 17, Dr. Autrey moved that the Board accept the Consent Order. Mr. Howard seconded. Motion carried without objection.

8. Burke, Laura Lee – RN Exam Applicant

Ms. Burke signed a Consent Order that would allow her to take the NCLEX-RN®, and if successful, her license, when issued will be placed on probation for a period of sixty months, with chemical dependency stipulations, and she will be required to pay a fine in the amount of \$1,000.00.

On January 17, Dr. Parker moved that the Board accept the Consent Order. Mr. Howard seconded. Motion carried without objection.

9. Burrell, Andrea L. – RN, 1-098623

Ms. Burrell signed a Consent Order that would suspend her RN license until such time as the Board is in receipt of satisfactory documentation of: (a) completion of a comprehensive chemical dependency evaluation from a Board-approved provider; (b) entry into and successful completion of the initial phase of an approved treatment provider (if treatment is recommended); (c) entry into and full participation in an aftercare program (if treatment is recommended); (d) negative random monthly urine drug screens; (e) active participation in Twelve Step Meetings (if recommended); (f) accrual of requisite continuing education contact hours; and (g) payment of appropriate fees. Should Ms. Burrell be deemed in need of treatment, her license will be reinstated on probation for a period of sixty months, with chemical dependency stipulations, and she will be required to pay a fine in the amount of \$1,000.00. If not deemed in need of treatment, Ms. Burrell's license will be reinstated on probation for a period of twenty-four months, with illegal/illicit drug-use stipulations, she will be required her to successfully complete Board-approved educational courses on chemical dependency and the ABN Mandatory Class Part 2 Standards of Nursing Practice and Scope of Practice; and pay a fine in the amount of \$600.00. In no event will this period of suspension extend beyond twelve months of the effective date of this Order, and, if such should occur, her license status will be considered as and listed as revoked.

On January 17, Dr. Parker moved that the Board accept the Consent Order. Mr. Howard seconded. Motion carried without objection.

10. Keen, Anne Kirk – RN, 1-065300; CRNP

Ms. Keen signed a Consent Order that would suspend her RN license for a minimum of six months and until such time as the Board is in receipt of satisfactory documentation of: (a) completion of a comprehensive chemical dependency evaluation from a Board-approved provider and compliance with all treatment recommendations; (b) entry into and full participation in an aftercare program; (c) negative random monthly urine drug screens; (d) active participation in Twelve Step Meetings; (e) accrual of requisite continuing education contact hours; and (f) payment of appropriate fees. Upon reinstatement, Ms. Keen's license will be placed on

probation for a period of sixty months, with chemical dependency stipulations, and she will be required to pay a fine in the amount of \$1,000.00. In no event will this period of suspension extend beyond twelve months of the effective date of this Order, and, if such should occur, her license status will be considered as and listed as revoked.

On January 17, Dr. Parker moved that the Board accept the Consent Order. Mr. Howard seconded. Motion carried without objection.

11. Amerson, Lashantie Renee – RN, 1-129897

Ms. Amerson signed a Consent Order that would place her RN license on probation for a period of twelve months, with illegal/illicit drug-use stipulations, require her to successfully complete Board-approved educational courses on medication errors and documentation, and pay a fine in the amount of \$300.00.

On January 17, Dr. Wright moved that the Board accept the Consent Order. Ms. Ellerbe seconded. Motion carried without objection.

12. August, Brandy Lynn – RN, 1-107052 (Lapsed)

Ms. August signed a Consent Order that would suspend her RN license until such time as she provides evidence of: (a) payment of a fine in the amount of \$500.00; (b) successful completion of Board-approved educational courses on chemical dependency and professional accountability; and (c) submission of a complete application for reinstatement of a lapsed license and payment of any associated fees. Upon reinstatement, Ms. August's license will be placed on probation for a period of twelve months, with illegal/illicit drug-use stipulations. In no event will this period of suspension extend beyond twelve months of the effective date of this Order, and, if such should occur, her license status will be considered as and listed as revoked.

On January 17, Dr. Wright moved that the Board accept the Consent Order. Ms. Ellerbe seconded. Motion carried without objection.

13. Cofield, Robin Renee – RN, 1-101445

Ms. Cofield signed a Consent Order that would place her RN license on probation until such time as she provides evidence of: (a) payment of a fine in the amount of \$300.00; (b) successful completion of Board-approved educational courses on ethics of nursing and documentation; and (c) the employer notification has been received by the Board.

On January 17, Dr. Wright moved that the Board accept the Consent Order. Ms. Ellerbe seconded. Motion carried without objection.

14. Gilbreath, Maurice – LPN, 2-031047

Mr. Gilbreath signed a Consent Order that would suspend his LPN license until such time as he provides evidence of: (a) payment of a fine in the amount of \$500.00; (b) successful completion of Board-approved educational courses on dementia in the elderly, fall prevention in the elderly, and the ABN Mandatory Class Part 2 Standards of Practice and Scope of Practice; and (c) the employer notification has been received by the Board. In no event will this period of suspension extend beyond twelve months of the effective date of this Order, and, if such should occur, his license status will be considered as and listed as revoked.

On January 17, Dr. Wright moved that the Board accept the Consent Order. Ms. Ellerbe seconded. Motion carried without objection.

15. Jones, Julie Angelia – LPN, 2-050318

Ms. Jones signed a Consent Order that would place her LPN license on probation until such time as she provides evidence of: (a) payment of a fine in the amount of \$300.00; (b) successful completion of Board-approved educational courses on ethics of nursing and professional accountability; and (c) the employer notification has been received by the Board.

On January 17, Dr. Wright moved that the Board accept the Consent Order. Ms. Ellerbe seconded. Motion carried without objection.

16. Morris, Jessica Leigh – LPN, 2-049301

Ms. Morris signed a Consent Order that would place her LPN license on probation for a period of twelve months, with illegal/illicit drug-use stipulations, require her to successfully complete Board-approved educational courses on chemical dependency, professional accountability, and ethics of nursing, and pay a fine in the amount of \$300.00.

On January 17, Dr. Wright moved that the Board accept the Consent Order. Ms. Ellerbe seconded. Motion carried without objection.

17. McDonald, Patricia Anne – LPN, 2-025023

Ms. McDonald signed a Consent Order that would place her LPN license on probation for a period of twelve months, with illegal/illicit drug-use stipulations, require her to successfully complete Board-approved educational courses on chemical dependency and documentation, and pay a fine in the amount of \$500.00.

On January 17, Dr. Wright moved that the Board accept the Consent Order. Ms. Ellerbe seconded. Motion carried without objection.

18. Gaston, Martha Jean – LPN, 2-015965

Ms. Gaston signed a Consent Order that would place her LPN license on probation for a period of twelve months, with illegal/illicit drug-use stipulations, require her to successfully complete a Board-approved educational course on chemical dependency and pay a fine in the amount of \$300.00.

On January 17, Dr. Parker moved that the Board accept the Consent Order. Mr. Howard seconded. Motion carried without objection.

19. Sutton, Andrea L. – RN, 1-059933

Ms. Sutton signed a Consent Order that would place her RN license on probation until such time as she provides evidence of: (a) payment of a fine in the amount of \$500.00; (b) successful completion of Board-approved educational courses on patient privacy and ethics of nursing; and (c) the employer notification has been received by the Board.

Dr. Autrey recused herself from the discussion and vote concerning Ms. Sutton.

On January 17, Dr. Parker moved that the Board accept the Consent Order. Mr. Howard seconded. Motion carried without objection.

20. Cox, Keishelia Danielle – RN, 1-116075; LPN, 2-053717 (Lapsed)

Ms. Cox signed a Consent Order that would issue her a public reprimand and require her to pay a fine in the amount of \$300.00.

On January 17, Mr. Howard moved that the Board accept the Consent Order. Dr. Wright seconded. Motion carried without objection.

21. Davis, William Frederick – RN Endorsement Applicant

Mr. Davis signed a Consent Order that would approve his RN endorsement application and issue him a public reprimand and require him to pay a fine in the amount of \$300.00.

On January 17, Mr. Howard moved that the Board accept the Consent Order. Dr. Wright seconded. Motion carried without objection.

22. Jennings, Katherine Elaine – RN Endorsement Applicant; LPN, 2-056858 (Lapsed)

Ms. Jennings signed a Consent Order that would approve her RN endorsement application and issue her a public reprimand and require her to pay a fine in the amount of \$300.00.

On January 17, Dr. Parker moved that the Board accept the Consent Order. Dr. Wright seconded. Motion carried without objection.

23. Morris, Shannel – RN, 1-130153; LPN, 2-058481 (Lapsed)

Ms. Morris signed a Consent Order that would issue her a

public reprimand and require her to pay a fine in the amount of \$300.00.

On January 17, Dr. Parker moved that the Board accept the Consent Order. Dr. Wright seconded. Motion carried without objection.

24. Noah, Sabrina Denise – RN Endorsement Applicant

Ms. Noah signed a Consent Order that would approve her RN endorsement application and issue her a public reprimand and require her to pay a fine in the amount of \$300.00.

On January 17, Dr. Parker moved that the Board accept the Consent Order. Dr. Wright seconded. Motion carried without objection.

25. Adkins, James Robert – RN, 1-027782; CRNA

Mr. Adkins signed a Consent Order that would issue him a public reprimand and require him to pay a fine in the amount of \$1,000.00.

On January 17, Mr. Howard moved that the Board accept the Consent Order. Ms. Ellerbe seconded. Motion carried without objection.

26. Bryant, Jennifer Lee – RN, 1-074568

Ms. Bryant signed a Consent Order that would issue her a public reprimand and require her to pay a fine in the amount of \$600.00.

On January 17, Mr. Howard moved that the Board accept the Consent Order. Ms. Ellerbe seconded. Motion carried without objection.

27. Dunlap, Lajuinese Tenika – RN, 1-110491

Ms. Dunlap signed a Consent Order that would issue her a public reprimand and require her to pay a fine in the amount of \$1,000.00.

On January 17, Mr. Howard moved that the Board accept

the Consent Order. Ms. Ellerbe seconded. Motion carried without objection.

28. Mbuguje, Mukesha Eugenia – RN, 1-085114

Ms. Mbuguje signed a Consent Order that would issue her a public reprimand and require her to pay a fine in the amount of \$600.00.

On January 17, Mr. Howard moved that the Board accept the Consent Order. Ms. Ellerbe seconded. Motion carried without objection.

29. Wilson, Janifer Claudette – LPN, 2-031060

Ms. Wilson signed a Consent Order that would issue her a public reprimand and require her to pay a fine in the amount of \$300.00.

On January 17, Dr. Autrey moved that the Board accept the Consent Order. Ms. Ellerbe seconded. Motion carried without objection.

30. Peters, Sandra Ellis – RN, 1-073620 (Lapsed/Probation); LPN, 2-031624 (Lapsed)

Ms. Peters signed a Consent Order that would approve her reinstatement of a lapsed license application and place her license on probation for a period of twelve months, with illegal/illicit drug-use stipulations, require her to successfully complete a Board-approved educational course on nursing ethics, and pay a fine in the amount of \$500.00.

On January 17, Mr. Howard moved that the Board accept the Consent Order. Dr. Wright seconded. Motion carried without objection.

B. Reinstatement: Consent Orders

1. Casey, Tania M. – RN, 1-111650

Ms. Casey signed a Consent Order that would approve her reinstatement of a revoked license application and place her license on probation for a period of sixty months, with chemical dependency stipulations, require her to successfully complete Board-approved educational courses

on professional accountability, ethics of nursing, and the ABN Mandatory Class, and pay a fine in the amount of \$1,000.00.

On January 17, Dr. Autrey moved that the Board accept the Consent Order. Ms. Stewart seconded. Motion carried without objection.

2. McAnnally, Aimee Luanne – RN, 1-038857

Ms. McAnnally signed a Consent Order that would approve her reinstatement of a revoked license application and place her RN license on probation for a period of sixty months, with chemical dependency stipulations, require her to successfully complete Board-approved educational courses on professional accountability and the ABN Mandatory Class, and pay a fine in the amount of \$1,000.00.

On January 17, Dr. Autrey moved that the Board accept the Consent Order. Ms. Stewart seconded. Motion carried without objection.

C. Formal Hearings

On January 17, Ms. Bullard moved that the Board enter into Executive Session in its capacity as a quasi-judicial body to deliberate and discuss evidence and testimony presented during contested case hearings and vote on the outcomes. Ms. Price seconded. Motion carried without objection.

Dr. Dearman reported that the Board would reconvene in open session at approximately 9:30 a.m.

The Board returned to open session at 9:22 a.m.

1. Barrientos, Adam Rene – LPN, 2-061890 (Lapsed)

On January 17, Ms. Price moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer, and revoke Mr. Barroentos' LPN license. Dr. Parker seconded. Motion carried without objection.

2. Fulgham, Nakeema Blair – RN, 1-119077

On January 17, Dr. Parker moved that the Board accept

the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer, and issue Ms. Fulgham a public reprimand, place her RN license on probation for a period of twelve months, with illegal/illicit drug-use stipulations, require her to successfully complete a Board-approved educational course on chemical dependency and pay a fine in the amount of \$300.00. Ms. Stewart seconded. Motion carried without objection.

3. Jackson, Steven Lawrence – LPN Exam Applicant

On January 17, Mr. Howard moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer, and deny Mr. Jackson's LPN Exam application. Ms. Bullard seconded. Motion carried without objection.

4. Johnston, Dana Ann – RN, 1-119979 (Lapsed)

On January 17, Ms. Price moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer, and revoke Ms. Johnston's RN license. Ms. Bullard seconded. Motion carried without objection.

5. Pompilius, Betty Ann – RN, 1-087775 (Lapsed)

On January 17, Dr. Parker moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer, and revoke Ms. Pompilius' RN license. Ms. Price seconded. Motion carried without objection.

6. Scott, Jessica Lauren – LPN, 2-061891 (Lapsed)

On January 17, Mr. Howard moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer, and revoke Ms. Scott's LPN license. Ms. Bullard seconded. Motion carried without objection.

7. Whatley, Constance – RN, 1-121240 (Lapsed)

On January 17, Ms. Price moved that the Board accept

the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer, and revoke Ms. Whatley's RN license. Ms. Stewart seconded. Motion carried without objection.

D. Reinstatements – Formal Hearings

There were no Formal Hearing Reinstatements.

XIII. NEXT MEETING DATE: February 20, 2014, Suite 350, RSA Plaza, Montgomery AL

XIV. OTHER

- Each Board member introduced themselves.
- Ms. Lee reported that items added to the Board packet after the packets have been uploaded to Director Point, will be uploaded to Director Point and an email will be sent notifying the Board that additional items have been added. Paper items will no longer be provided.
- Dr. Autrey reported that the ABN was one of two states to participate in the new NCLEX® code implementation.
- Mr. Jones reviewed Director Point for the Board members.
- Mr. Howard requested an update on the EO salary request. Dr. Dearman reported that she thought the letter requesting a 20% merit increase was mailed to the Finance Director. Ms. Johnson reported that the letter had not been mailed. Dr. Dearman drafted a letter to the Finance Director requesting a 20% merit increase for the Executive Officer and shared the letter with the Board for comments.
- On January 17, Ms. Lee reported that there is a public hearing for the diabetes bill scheduled in the House for January 22 at 9:00 a.m. and a Senate hearing on January 22 at 12:00 noon.
- Mr. Ingels reported that Senator Waggoner asked him to bring alternatives for the diabetes bill.
- Dr. Dearman encouraged Board members to be present for the hearings if possible and reach out to their Senators and Representatives.
- Ms. Lee reported that she will contact April Weaver, Health Committee member.
- Ms. Lee reported that the Education Committee will bring recommendations to the Board at the February Board meeting. Ms. Hill pointed out that her report was not late. The date the staff had was the date the report was printed not the date it came in. Only four schools

submitted late reports.

XV. BOARD MEETING DEBRIEFING

- Dr. Dearman asked for any comments or suggestions on how the Board meeting was handled.
- Dr. Parker reported that the meeting went smooth and Dr. Dearman did a good job running the meeting.
- Dr. Dearman asked if the new Board members had any questions or concerns.
- Ms. Bailey reported that sitting on the Board is a learning process but she felt comfortable and everyone was helpful.
- Ms. Lee reported that Arkansas defeated the diabetes bill in the Senate. Pennsylvania also defeated the bill but expect it to come back.
- Ms. Lee reported that she received an email from a teacher who is also a parent of a diabetic child and she is irate about the bill. Teachers have enough to do already.
- Mr. Ingels named some of the Health Committee members for the Board members.

XVI. ADJOURNMENT

The meeting adjourned at 9:55 a.m. on January 17, 2014.

Catherine Dearman, President

E. Laura Wright, Secretary

Submitted by: _____
Recorder: Leslie Vinson
01/16-17/2014